



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Isamu HOTTA et al.

Title: EXHAUST EMISSION  
CONTROL DEVICE OF  
INTERNAL COMBUSTION  
ENGINE

Appl. No.: 09/974,878

Filing Date: 10/12/2001

Examiner: D. Tran

Art Unit: 3748

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JAN 22 2003

TECHNOLOGY CENTER R3700

AMENDMENT TRANSMITTAL

Commissioner for Patents  
Box NON-FEE AMENDMENT  
Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☐ Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a Small Entity statement previously submitted.
- ☐ Small Entity statement is enclosed.
- ☒ The fee required for additional claims is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims:	12	20	0	\$18.00	\$0.00
Independents:	4	4	0	\$84.00	\$0.00
First presentation of any Multiple Dependent Claims:			+	\$280.00	\$0.00
CLAIMS FEE TOTAL:					\$0.00

- ☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$410.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$930.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,450.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$1,970.00	\$0.00
EXTENSION FEE TOTAL:			\$0.00
CLAIMS AND EXTENSION FEE TOTAL:			\$0.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$0.00
TOTAL FEE:			\$0.00

- ☐ Please charge Deposit Account No. 19-0741 in the amount of \$0.00. A duplicate copy of this transmittal is enclosed.
- ☐ A check in the amount of \$0.00 is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date January 15, 2003

By Thomas G. Bilodeau

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*S. Little*  
*1-24-03*

ATTORNEY DOCKET NO. 040302-0278

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Applicant: Isamu HOTTA et al.

Title: EXHAUST EMISSION CONTROL DEVICE OF INTERNAL  
COMBUSTION ENGINE

Appl. No.: 09/974,878

Filing Date: October 12, 2001

Examiner: D. Tran

Art Unit: 3748

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*Ream.*  
*W.E.*

REPLY UNDER 37 C.F.R. § 1.116

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In reply to the Office Action mailed October 22, 2002, please consider the following remarks.

REMARKS

The Office Action mailed October 22, 2002, has been reviewed and the comments of the Patent and Trademark Office have been considered. Claims 1-12 remain pending for reconsideration.

**Improper nature of final rejection**

Applicants submit that the finality of the outstanding Office Action (mailed October 22, 2002) is improper and respectfully request that the finality be reconsidered and withdrawn. According to MPEP 706.07(a) a second or subsequent action on the merits shall be final, except where the Examiner introduces a new ground of rejection that is neither: (1) necessitated by applicant's amendment of the claims nor (2) based on